

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare – Land Acquisition – Anantapur District – Penukonda (V) & (M) – Acquisition of land to an extent of Ac 4.75 Cents in Sy.No. 680-2, for providing house sites to the weaker section's people – Sanction of Rs 18,08,394/- - towards balance decretal charges, in O.P.No. 40/98– Orders – Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O. Rt. No. 405

Dated: 20.05.2011.

Read the following:

- Ref:- 1.From the Dist. Collector, Ananthapur Lr. No.G3/1650/2010, dated 02.03.2010.
2. From the CSW Lr.No.LA2/2415/2010, dated 12.03.2010.
3. From the CCLA, Hyderabad Lr.No.G4/566/2010, dated 30.7.2010.
4. From the CCLA, Hyderabad Lr.No.G4/566/2010, dated 01.3.2011.

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ORDER:-

In the reference 3rd and 4th read above, the Special Chief Secretary to Govt., and Chief Commissioner of Land Administration, AP, Hyderabad has stated that the LAO/RDO, Penukonda, has acquired land to an extent of Ac 4.75 Cents in Sy.No. 680-2 situated at Penukonda (V) & (M) of Ananthapur District for the purpose of providing house sites to the weaker section people, by passing award dt 05.5.98 in Prds.Rc.No.3690/96/B for an amount of Rs.4,72,150/- by fixing the market value at Rs.70,000/- per acre. The pattadars have received compensation under protest and the case was referred to Sr. Civil Judge, Penukonda. The Sr. Civil Judge Penukonda in his orders dated 29.3.2001 in O.P.No.40/98 has enhanced the land compensation from Rs.70,000/- to 2,25,000/- per acre apart from other benefits. An appeal was filed by the LAO/RDO, Penukonda in High Court of A.P., Hyderabad in AS.No.2395/2001, as the enhancement was more than 50%. Further the pattadars have filed EP.2/2002 in OP.No.40/98 for realization of Decretal Charges. The Hon'ble High Court in its orders dated 04.01.2007 has dismissed the AS.No.2395/2001 duly confirming the decree of the reference Court, the Hon'ble High Court has ordered for payment of 30% of Decretal Charges to the Pattadars. Accordingly an amount of Rs.4,50,282/- was deposited before Sr. Civil Court, Penukonda. The Government Pleader for Appeals, High Court, A.P., Hyderabad has opined to comply the High Court orders immediately and to pay the decretal charges, as it is not a fit case to prefer an appeal in Hon'ble Supreme Court of India. Accordingly the District Collector, Ananthapur has submitted proposals for release an amount of Rs.23,91,226/- towards balance decretal charges in OP.No.40/98 the land acquired to an extent of Ac 4.75 Cents in Sy.No. 680-2 situated at Penukonda (V) & (M) of Ananthapur District, for the purpose of providing house sites to the weaker section people.

2. The Special Chief Secretary to Govt., and Chief Commissioner of Land Administration, AP, Hyderabad after scrutiny of the proposal along with the calculation sheet furnished by the Collector, Anantapur District, has forwarded the same to the Government for sanction of an amount of Rs. 18,08,394/- towards payment of decretal charges in respect of the above said land stating that "his office has calculated the amounts as per enhancement made in O.P.No.40/98 and deducted the amounts already paid. Subsequently, interest has been calculated on the difference of Market Value as there is no mention in court order for payment of interest on Solatium or Additional Market Value. Hence, there is a difference in calculation to the tune of Rs.5,82,832/- between the calculations made by his office and the Collector, Anantapur District and requested the Govt., to accord sanction for the amount calculated by his office.

3. After careful examination, Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release an amount of Rs.18,08,394/- (Rupees eighteen lakhs eight thousand three hundred and ninety four only) to the District Collector, Anantapur towards payment of decretal charges, as per the orders of Hon'ble High Court dated 04.01.2007 in AS.No.2395/2001 in OP.No.40/98 in respect of the land

acquired to an extent of Ac 4.75 Cents in Sy.No. 680-2 situated at Penukonda (V) & (M) of Ananthapur District, for providing of house sites to the weaker section's people.

4. The amount of expenditure sanctioned in para (3) above shall be met within the B.E. 2011-12 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections in Indiramma Programme - 310/312 – other Grants-in-Aid” .

5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Anantapur, to comply with the Court orders.

6. The District Collector, Anantapur, shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide U.O.Note No.12869/196/ A1/Esp.SW/2009, dated..22.05.2009 and U.O. No. 15926/256/A1/1/ Expr.SW/09, dated.17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHR PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary to Govt., and Chief Commissioner of Land Administration,
AP, Hyderabad.

The Commissioner of Social Welfare, A.P., Hyderabad.

The District Collector, Anantapur, District.

Copy to:

The Director of Treasuries & Accounts, A.P. Hyderabad.

The Accountant General, A.P., Hyderabad

The District Treasury Officer, Anantapur, District.

Finance (Exp.SW/BG) Department.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER